UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,296	02/10/2004	Thomas A. Gault	GP-304438/GP-304379 (2760	1150

7590 11/16/2007

General Motors Corporation
Mail Code 482-C23-B21
300 Renaissance Center
P.O. Box 300
Detroit, MI 48265-3000

EXAMINER	
YOUNG, JANELLE N	

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
11/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/775,296	GAULT ET AL.	
	Examiner	Art Unit	
	Janelle N. Young	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 August 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 19, 21, 25-26, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazzara (US Pub 2003/008/7642) and further in view of Van Bosh (US Pat 6493629).

As for claim 19, Mazzara teaches a method of verifying a mobile vehicle equipped with suitable hardware and software for transmitting and receiving voice and data communications; which reads on claimed telematics unit (Abstract; Page 1, Para 0010-0011; and Page 5, Para 0048-0051 of Mazzara), the method comprising:

attempting to establish one authenticated call from the telematics unit to the call center; recognizing a failure to establish an authenticated call from the telematics unit to the call center; (Page 6, Para 0058-0066 of Mazzara) and

establishing a cleared number voice call from the telematics unit to the call center in response to recognized failure (Page 1, Para 0013, 0017, 0027-0028; Page 3, Para 0038; and Page 6, Para 0058, 0063, & 0066 of Mazzara).

What Mazzara does not specifically teach is the telematics unit in the vehicle will automatically contact a public safety answering point (PSAP) and/or a call center for a service associated with the telematics unit.

However, Van Bosh teaches a method for establishing a cleared number voice call communication channel between the telematics unit and the call center (a voice call is then coupled to the originating WLAN device via a termination WLAN device for example the wireless device communicating with the PSAP and/or a call center (Col. 1, lines 13-43; Col. 3, lines 21-35; Col. 4 lines 6-54; and Col. 7, lines 16-25 of Van Bosh). In addition, Van Bosh teaches a method of verifying a telematics unit, wherein communicating at least one telematics unit identifier to the call center responsive to the initiated cleared number voice call further comprises: initiating a verbal recording including the telematics unit identifier at the telematics unit upon establishment of the cleared number voice call communication channel; communicating the telematics unit identifier over the cleared number voice call communication channel wherein the call center identifies a vehicle; and is initiated periodically for communication to the call center; which reads on claimed communicating a verbal message from the telematics unit to the call center over the cleared number voice call, wherein the verbal message includes at least one identifier associated with the telematics unit. (Fig. 1:**124**; Col. 2, lines 34-63; and Col. 4, lines 23-44 in correspondence to Col. 3, lines 11-20 and Col. 4, lines 6-23 of Van Bosh).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow verbal communication between a user and a call center as

taught by Van Bosh in the method of Mazzara, in order to successfully provide a service even if there is a communication failure. Therefore, if the activation process fails, the vehicle communication unit may give a failure message. The vender may call the call center directly from the vehicle communications unit. The call may be initiated, for example, by activating a key on the vehicle communication unit that is dedicated to calling the call center. The call may be initiated, for example, by a voice-recognition function. If the activation from the vehicle fails, the vendor may call for technical assistance from the call center. The call center may process the activation and provisioning of the vehicle communication units in the best possible manner. The user may call into the call center, for example, via another mobile phone unit to receive the new phone number. The user may then install the new phone number via a voice-recognition routine, to of enable communication between a mobile vehicle and a call center during a failed transmission condition comprising receiving, at the telematics unit, at least one vehicle data request from the call center via the established communication channel; and verbally communicating the requested vehicle data, in response to the at least one vehicle data request, from the telematics unit to the call center via the established communication channel," (abstract, paragraphs 0041 & 0049 of Mazzara).

The motivation of this combination would be the effect the cleared number voice call communication channel between the telematics unit and the call center. The combination would also have been to provide a function for telematic communication that can utilize emergency communication.

As for claim 21, Mazzara teaches a method of verifying a telematics unit, wherein the communicating step further comprises playing the verbal message so that it can be heard by an advisor at the call center over the cleared number voice call (Page 2, Para 0027 and Page 4, Para 0032 & 0034-0035).

As for claim 25 Van Bosh teaches a method of verifying a telematics unit, wherein the attempting a predetermined number of times to establish the authenticated call before recognizing the failure (Col. 4, lines 44-61 of Van Bosh).

As for claim 26, Mazzara teaches a method of verifying a telematics unit, wherein at least one identifier comprises any one or more of the following identifiers: a telematics unit station identifier, a mobile vehicle communication identifier, mobile identification number, mobile dialable number, and an electronic serial number (Page 3, Para 0035 & 0037; Page 4, Para 0042 & 0044; Page 5, Para 0047; and Page 6, Para 0058 of Mazzara).

As for claim 29, Mazzara teaches a method of verifying a telematics unit, wherein the establishing step further comprises establishing a cleared number voice call with an advisor at the call center, wherein the advisor identifies and responds to a need of a user in the vehicle (Page 2, Para 0027 and Page 4, Para 0032 & 0034-0035).

2. Claims 20 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazzara (US Pub 2003/008/7642) and Van Bosh (US Pat 6493629) as applied to claim 19 above, and further in view of Snyder et al. (US Pub 2003/0134631).

As for claim 20, Mazzara teaches a method of verifying a telematics unit, wherein communicating at least one telematics unit identifier to the call center responsive to the initiated cleared number voice call (Page 1, Para 0013, 0017, 0027-0028; Page 3, Para 0038; and Page 6, Para 0058, 0063, & 0066 of Mazzara).

What Mazzara and Van Bosh do not specifically teach is the telematics unit the steps of displaying the at least one identifier on a visual display in the vehicle and trigger,

However, Snyder et al. teaches a method of verifying a telematics unit, further comprising the step of displaying the at least one identifier on a visual display in the vehicle, and wherein the communicating step further comprises communicating the verbal message by reading it aloud to an advisor at the call center over the cleared number voice call. (Page 2, Para 0013 & 0016 and Page 4, Para 0026 of Snyder et al.).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow user interface; such as a display screen as taught by Snyder et al. in the method of Mazzara and Van Bosh, in order to improve the ability of telematics devices; having a user interface capability, to receive location-based services, the ability to accept software applications, and network connectivity capabilities (Page 2, Para 0013 & 0016 and Page 4, Para 0026 of Snyder et al.).

The motivation of this combination would be the effect the reception of at least one vehicle data request from the call center to the telematics unit via the established communication channel The combination would also have been to provide a function for

telematic communication that can utilize emergency communication and perform various maintenance or diagnostic tasks.

As for claim 27, Snyder et al. teaches a method of verifying a telematics unit, wherein the attempting step further comprises attempting to establish the authenticated call in response to a trigger on the vehicle (Page 4, Para 0023; Page 5, Para 0033; and Page 6, Para 0038).

As for claim 28, Snyder et al. teaches a method of verifying a telematics unit, further comprising the step of identifying the trigger to the call center over the cleared number voice call (Page 4, Para 0023 ; Page 5, Para 0033; and Page 6, Para 0038).

3. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazzara (US Pub 2003/008/7642) and Van Bosh (US Pat 6493629) as applied to claims 19 and 21 above, and further in view of Mazzara, Jr. (US Pub 2003/0211854).

As for claim 22, Mazzara teaches a method of verifying a mobile vehicle equipped with suitable hardware and software for transmitting and receiving voice and data communications; which reads on claimed telematics unit (Abstract; Page 1, Para 0010-0011; and Page 5, Para 0048-0051 of Mazzara).

What Mazzara and Van Bosh do not specifically teach is the telematics unit, wherein the playing and replaying a voice message recording over the cleared number voice call.

However, Mazzara, Jr. teaches a method of verifying a telematics unit, wherein the playing step further comprises periodically replaying the verbal message over the

cleared number voice call (Page 2, Para 0023 & 0027-0028; Page 3, Para 0030; Page 4, Para 0043, 0045, & 0047; and Pages 4-5, Para 0052 of Mazzara, Jr.).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow user to the playing and replaying a voice message recording over the cleared number voice call. as taught by Mazzara, Jr. Both Mazzara and Mazzara, Jr. teach a mobile vehicle access system may contain one or more mobile vehicles, one or more wireless carrier systems, one or more communication network, one or more land networks, and one or more call centers. Call center may contain one or more voice and data switches, one or more communication services managers, one or more communication services databases, one or more communication services advisors, and one or more bus systems. Mobile vehicle may be a mobile vehicle equipped with suitable hardware and software for transmitting and receiving voice and data communications. Mobile vehicle may contain vehicle communications unit for sending or receiving voice or data communications (Page 2, Para 0022- 0023 of Mazzara, Jr.).

The motivation of this combination would be the effect the reception of at least one vehicle data request from the call center to the telematics unit via the established communication channel. The combination would also have been to provide a function for telematic communication that can utilize emergency communication and perform various maintenance or diagnostic tasks.

As for claim 23, Mazzara, Jr. teaches a method of verifying a telematics unit, wherein the playing step further comprises playing the verbal message over speakers in

the vehicle while the cleared number voice call is in process (Page 2, Para 0023 & 0027-0028; Page 3, Para 0030; Page 4, Para 0043, 0045, & 0047; and Pages 4-5, Para 0052 of Mazzara, Jr.).

As for claim 24, Mazzara, Jr. teaches a method of verifying a telematics unit, wherein the communicating step further comprises communicating the verbal message by playing a voice message recording over the cleared number voice call. (Page 2, Para 0023 & 0027-0028; Page 3, Para 0030; Page 4, Para 0043, 0045, & 0047; and Pages 4-5, Para 0052 of Mazzara, Jr.).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 8:30 am through 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JNY
October 27, 2007

NAY MAUNG
SUPERVISORY PATENT EXAMINER